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Erik Bijpost

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EXAMINER

RUMP, RICHARD M

ART UNIT

PAPER NUMBER

1793

MAIL DATE

DELIVERY MODE

09/11/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

The request for reconsideration after final action is acknowledged and the arguments presented therein are not persuasive for the following reasons.

Firstly the Examiner notes that it is unclear how the presented amendment precludes any salts.

Regarding applicant's argument that Velzel does not disclose a polyvinyl compound added to urea along with the calcium acetate because the reference supposedly merely states that the addition of a compound with the organic groups as instantly claimed is "part of a definition of different preferences for the polyvinyl compound, not a separate compound in addition to the polyvinyl compound." (Remarks at 2). This argument is not convincing as Velzel clearly shows in table 5 that there is an admixture of the polyvinyl alcohol (polyvinyl compound) and calcium acetate together in an aqueous medium.

Regarding applicant's assertion that calcium acetate is not an acid, but a salt is indeed convincing however, calcium acetate meets the claim requirements as it has "1-10 carbon atoms" (In this case 2) and has a carboxylic acid group (meeting the 1-10 polar group requirements of the claim). There is no requirement of the claim that an acid be the compound itself, merely that it contains a carboxylic acid group.

It is further acknowledged that applicant's understanding of the Final Action's remarks is somewhat improper. Polyvinyl compounds may include the requisite organic groups and this was merely added as a notice to applicant that the claim as currently written does not necessarily require that the actual compounds be different as "both A

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and A” would still meet the comprising limitation (where A is any compound which meets the requirements of the claim by itself) the same way as “both A and B” (Wherein A and B are two different compounds that meet the requirements of the claim).

The arguments with regards to claim 4 were dealt with in the Final Action and are hereby incorporated by reference in their entirety.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Rump whose telephone number is (571) 270-5848. The examiner can normally be reached on Monday through Friday 7:00 AM-4:30 PM (-5 GMT).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Stanley Silverman can be reached on (571)272-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/R. M. R./
Examiner, Art Unit 1793

/Stuart Hendrickson/
Primary Examiner, Art Unit 1793